

MEETINGS TO DATE 5
NO. OF REGULARS 4
NO. OF SPECIALS 1

LANCASTER, NEW YORK
FEBRUARY 18, 1974

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 18th day of February, 1974 at 8:00 P.M. and there were

PRESENT: LEO N. WEIMER, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
OLIVIN R. CONNELLY, RECEIVER OF TAXES
VICTOR H. OTT, POLICE CHIEF

COMMITTEE REPORTS:

Councilman Berent, for the Recreation Committee, reported that his Committee and the Recreation Commission met with the Planning Commission of the Village of Lancaster relative to development of $9\frac{1}{2}$ acres in the southwest portion of the Village of Lancaster into a playground area.

Councilman Berent indicated that the next step in this matter is up to the Village of Lancaster to make a written proposal of land use to the Town Board.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held on February 11, 1974, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~only~~
The resolution was thereupon unanimously adopted.

February 18, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, definite plans, specifications and contract documents have been prepared by Kideney, Smith, Fitzgerald & Partners, architects heretofore retained by the Town of Lancaster for construction of the new Lancaster Public Library, and

WHEREAS, such plans, specifications and contract documents have been examined by the Town Board of the Town of Lancaster and the Library Board of the Town of Lancaster, and

WHEREAS, the Town Board of the Town of Lancaster has heretofore adopted a bond resolution and appropriated certain current funds sufficient to finance the estimated cost of construction,

NOW, THEREFORE, BE IT

RESOLVED, that the plans, specifications and contract documents for construction of the new Lancaster Public Library be and hereby are approved and adopted, and it is further

RESOLVED AND ORDERED, that the Town Board of the Town of Lancaster invite separate bids for Construction Work, Heating & Ventilating Work, Sanitary Work and Electric Work for the new Lancaster Public Library shall be received and later considered publicly at a meeting of the Town Board to be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 11th day of March, 1974, at 8:00 o'clock P.M., Eastern Daylight Time, and that Notice of advertisement for bids shall be published by the Town Clerk of the Town of Lancaster in the Lancaster Enterprise-Journal, being the official Town newspaper and a newspaper of general circulation in the Town of Lancaster, on February 21, 1974, and posted according to law, and it is further

RESOLVED AND ORDERED, that the advertisement for bids shall be in the following form:

LEGAL NOTICE
TOWN OF LANCASTER
ADVERTISEMENT FOR BIDS
LANCASTER PUBLIC LIBRARY

Separate bids for Construction Work, Heating & Ventilating Work, Sanitary Work and Electric Work for the Lancaster Public Library for the Town of Lancaster will be received by said Town of Lancaster at the Town Board Council Chamber at 21 Central Avenue, Lancaster, New York, 14086, until 8:00 P.M., Eastern Daylight Time, March 11, 1974, and then at said Council Chamber opened publicly and read aloud.

The Instruction to Bidders, Form of Bid, Form of Contract, Plans, Specifications, etc., may be examined at the following offices:

Town Clerk's Office, Town of Lancaster, 21 Central Avenue,
Lancaster, New York
F.W. Dodge Corporation, 310 Delaware Avenue, Buffalo, New York
Kideney, Smith, Fitzgerald & Partners, Architects & Engineers,
374 Delaware Avenue, Buffalo, New York

Copies may be obtained at the office of the architects and engineers located at 374 Delaware Avenue, Buffalo, New York, upon payment of \$35.00 for each set, not to exceed three. Any bidder for a prime contract, upon returning such sets promptly and in good condition, will be refunded his full payment. Any non-bidder, upon so returning such a set, will be refunded \$20.00.

Each bidder must deposit with his bid security in an amount not less than ten per centum (10%) of the base bid and subject to the conditions provided in the Instructions to Bidders. Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract.

No bidder may withdraw his bid within 45 days after the actual date of the opening thereof.

The Owner reserves the right to reject any or all bids and to waive any informalities.

ROBERT P. THILL
Town Clerk
Town of Lancaster, New York

Dated: February 18, 1974

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~only~~

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, a public hearing was held on the 11th day of February, 1974,
for the purpose of amending the Zoning Ordinance and Zoning Map of the Town
of Lancaster, and

WHEREAS, a Notice of said public hearing has been duly published
and posted, and

WHEREAS, the Planning Board of the Town of Lancaster and the
Planning Consultant have recommended the rezone of the hereinafter described
parcel of real property, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal
Law of the State of New York, the Erie County Department of Planning has
reviewed such application for rezone and has no objection with respect thereto,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of
Lancaster is hereby amended and changed so that the real property hereinafter
described is changed from an RC, Residence-Restricted Business District and
an SA, Suburban-Agricultural District, to an M1, Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of
Lancaster, County of Erie, State of New York, being part of Lot
No. 12, Township 11, Range 6 of the Holland Land Company's Survey,
and more particularly bounded and described as follows:

BEGINNING at a point in the north line of Walden Avenue at
the intersection of the west line of Lot 12, which point is also
the southwest corner of said Lot 12; running thence northerly
along the west line of Lot 12, 1988.86 feet to a point 566.30
feet south of the center line of Peppermint Road; thence easterly
and parallel with the center line of Peppermint Road 645.48 feet;
thence southerly parallel with the first mentioned course 1820.27
feet to the north line of Walden Avenue, which is also the south
line of Lot 12; thence southwesterly along the north line of
Walden Avenue and the south line of Lot 12, 648 feet to the point
or place of beginning

and

BE IT FURTHER

RESOLVED, as follows:

1. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 18th day of February, 1974, and
2. That a certified copy thereof be published in the Lancaster Enterprise-Journal on or before February 21, 1974, and
3. That affidavits of publication be filed with the Town Clerk, and
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxxx~~

The resolution was thereupon unanimously adopted.

February 18, 1974

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster hereby is amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an RC, Residence-Restricted Business District and an SA, Suburban-Agricultural District, to an M1, Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 12, Township 11, Range 6 of the Holland Land Company's Survey, and more particularly bounded and described as follows:

BEGINNING at a point in the north line of Walden Avenue at the intersection of the west line of Lot 12, which point is also the southwest corner of said Lot 12; running thence northerly along the west line of Lot 12, 1988.86 feet to a point 566.30 feet south of the center line of Peppermint Road; thence easterly and parallel with the center line of Peppermint Road 645.48 feet; thence southerly parallel with the first mentioned course 1820.27 feet to the north line of Walden Avenue, which is also the south line of Lot 12; thence southwesterly along the north line of Walden Avenue and the south line of Lot 12, 648 feet to the point or place of beginning.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore annually authorized the administration of a Tree Planting Program for the purpose of beautifying the rights-of-way of public highways and streets of the Town of Lancaster by furnishing and planting shade trees, and

WHEREAS, funds have been provided in the current 1974 General Town Budget for the 1974 Tree Planting Program, and

WHEREAS, the Tree Planting Committee of the Town Board has reviewed the Town of Lancaster 1974 Tree Planting Program and recommends the planting of certain species of trees on certain streets in accordance with the official Tree Planting Master Plan of the Town of Lancaster and specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York,

NOW, THEREFORE, BE IT

RESOLVED, that sealed bids be received by this Town Board up to 8:15 o'clock P.M., Eastern Daylight Time, on March 4, 1974, for meeting the requirements of the Town of Lancaster's 1974 Tree Planting Program and for the supplying of trees in accordance with specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to have a Notice to Bidders and Nurserymen published in the Lancaster Enterprise-Journal and to have said Notice posted as required by law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duxx~~

The resolution was thereupon unanimously adopted.

February 18, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

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for the purpose of amending the Zoning Ordinance and Zoning Map of the Town
of Lancaster, and

WHEREAS, a Notice of said public hearing has been duly published
and posted, and

WHEREAS, the Planning Board of the Town of Lancaster and the
Planning Consultant have recommended the rezone of the hereinafter described
parcel of real property, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal
Law of the State of New York, the Erie County Department of Planning has
reviewed such application for rezone and has no objection with respect thereto,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of
Lancaster is hereby amended and changed so that the real property hereinafter
described is changed from an RC, Residence-Restricted Business District and
an SA, Suburban-Agricultural District, to an M1, Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of
Lancaster, County of Erie, State of New York, being part
of Lot No. 12, Township 11, Range 6 of the Holland Land
Company's Survey, and more particularly bounded and
described as follows:

BEGINNING at a point in the north line of Walden Avenue
distant 215 feet from the point of intersection of the
west line of Lot 12 and the north line of Walden Avenue;
running thence northerly on a line parallel with the west
line of Lot 12 600 feet to a point; running thence south-
westerly parallel with the northerly line of Walden Avenue
70 feet to a point; running thence southerly parallel with
the west line of Lot 12 600 feet to a point in the north
line of Walden Avenue; running thence northeasterly along
the north line of Walden Avenue 70 feet to the point or
place of beginning

and

BE IT FURTHER

RESOLVED, as follows:

1. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 18th day of February, 1974, and
2. That a certified copy thereof be published in the Lancaster Enterprise-Journal on February 21, 1974, and
3. That affidavit of publication be filed with the Town Clerk, and
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxxx~~

The resolution was thereupon unanimously adopted.

February 18, 1974

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster hereby is amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an RC, Resident-Restricted Business District and an SA, Suburban-Agricultural District, to an MI, Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 12, Township 11, Range 6 of the Holland Land Company's Survey, and more particularly bounded and described as follows:

BEGINNING at a point in the north line of Walden Avenue distant 215 feet from the point of intersection of the west line of Lot 12 and the north line of Walden Avenue; running thence northerly on a line parallel with the west line of Lot 12 600 feet to a point; running thence southwesterly parallel with the northerly line of Walden Avenue 70 feet to a point; running thence southerly parallel with the west line of Lot 12 600 feet to a point in the north line of Walden Avenue; running thence northeasterly along the north line of Walden Avenue 70 feet to the point or place of beginning.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

RESOLVED, that the following Building Permit Application be and is
hereby approved and the issuance of a Building Permit be and is hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
6	Izzo Tank & Pump	5255 Genesee Street	REP. STL. GAS TANKS

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~and~~
The resolution was thereupon unanimously adopted.

February 18, 1974

1. Traffic Study - Walden Avenue

On January 14, 1974 the Deputy County Commissioner of Highways advised the Town Board that the recommended uniform speed for Walden Avenue is 45 m.p.h. and requested that the Town Board indicate their agreement with this uniform limit.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuga Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

4. Tax Abatement - Police Services - County Sheriff's Department

On September 27, 1973 the Assistant County Attorney transmitted to the Town of Lancaster a copy of the most recent Comptroller's opinions relative to this type of tax abatement.

The Town Attorney was directed to review the opinions and report back to the Town Board.

5. Rezone Petition - Doralco, Inc. - Walden Avenue

On February 18, 1974 the Town Board approved this rezone.

The Town Clerk was directed to remove this item from the future agendas of the Town Board.

6. Traffic Study - Reduced Speed - Bowen Road

On January 8, 1974 the New York State Department of Transportation acknowledged receipt of the towns request for a reduced speed limit and indicated a study will be conducted as their caseload permits.

7. Rezone Petition - John and Clementine Golaszewski - Transit Road

On January 21, 1974 this petition was presented to the Town Board and referred to the Planning Board for review and report.

8. Rezone Petition - Planning Board Recommendation - 70 Foot Strip - Walden Avenue

On February 18, 1974 the Town Board approved this rezone.

The Town Clerk was directed to remove this item from the future agendas of the Town Board.

9. Traffic Study - Signalization - Bowen and William - Walden and Ransom

On January 14, 1974 the County Deputy Commissioner of Highways reported that the traffic study of these two (2) locations indicated a need for a traffic control device at both locations.

10. Permit Application - Lancaster Sanitary Land Fill

On January 21, 1974 this petition was presented to the Town Board and referred to the Planning Board and Environmental Conservation Commission for study and report.

PERSONS DESIRING TO ADDRESS THE TOWN BOARD:

Mrs. Edith Fuldauer, 12 Clark Street, Lancaster, New York, asked the Town Board if Lancaster Sanitary Land Fill will pay the Town of Lancaster anything for operating their new proposed Landfill.

The Supervisor informed Mrs. Fuldauer that the present proposal under study does provide for substantial revenues to the Town of Lancaster.

COMMUNICATIONS:DISPOSITION

62. Town Clerk to Town Board -
Resume of actions taken in response to
resolutions and directives - Meeting of
February 11, 1974.
63. Robert Staebell to Town Board -
Re: Abandonment of two portions of paper
street located in the East and West Home
Road Subdivision.
64. County Deputy Highway Commissioner to
Supervisor -
Notification - New order establishing
maximum 55 m.p.h. speed limit on town
highway and county roads.
65. Clerk of County Legislature to Town Clerk -
Use of discretion in considering any
applicants for installation of new pumps,
or construction of new stations for sale
of gasoline or diesel oil.
66. Supervisor to Town Board -
Request - Transfer of Funds.
67. Secretary, Environmental Conservation
Commission to Town Board -
Request sum of \$75.00 for purchase of trees
and shrubs.

R & F

Town Attorney

Police Chief

Police Committee

Planning Brd. Sec'y.

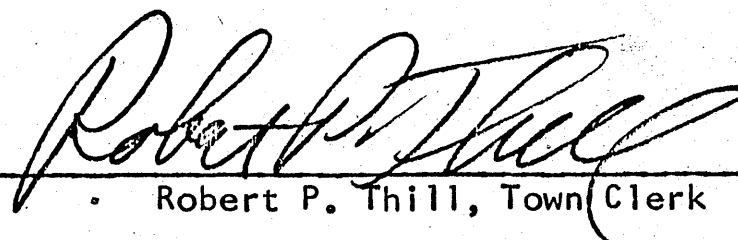
Town Auditors

Tree Committee

ADJOURNMENT:

ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 8:20 P.M.

Signed



Robert P. Thill, Town Clerk